

## **EXHIBIT E**



## The Office of Secretary of State

*Brian P. Kemp*  
SECRETARY OF STATE

*C. Ryan Germany*  
GENERAL COUNSEL

July 18, 2017

Via Electronic Mail

Marilyn Marks  
7035 Marching Duck Drive E504  
Charlotte, NC 28210  
*marilyn@aspenoffice.com*

Re: Request for Reexamination of Voting System

Dear Ms. Marks,

This letter responds to your July 10, 2017 letter. Thank you for your interest in Georgia's elections. As you know, ten Georgia electors recently requested that the Secretary of State review Georgia's direct recording electronic voting system. While neither you, the Coalition for Good Governance, nor the Rocky Mountain Foundation have standing to make such a request, I am happy to keep you posted as to the progress of the reexamination.

Pursuant to O.C.G.A. § 21-2-379.2, the Secretary of State will reexamine the voting system and make and file in his office a report, attested by his signature and the seal of his office, stating whether, in his opinion, the kind of system so examined can be safely and accurately used in primaries and elections. As the final product of this reexamination is an opinion by the Secretary of State, the specific method by which the reexamination is done is left to the discretion of the Secretary. We seek to conduct a reexamination that is thorough, methodologically sound, and able to be accomplished in a reasonable period of time at a reasonable cost.

The statute that the electors rely on to request the reexamination contemplates examining systems prior to their deployment across the state. A reexamination of a voting system that is already deployed, that consists of 27,000 voting machines across 159 counties, is a more difficult and time-consuming task. We do not agree with your contention that a thorough reexamination of Georgia's voting system, which consists of voting machines, GEMS servers, logic and accuracy testing, physical security, and multiple other components can be adequately reexamined in one business day. We are in the process of developing a reexamination methodology that will

be fair, robust, and clear. I will also be letting the electors who requested the reexamination know that Secretary Kemp has elected to waive the fee that the statute requires.

As to your question regarding Rule 590-8-1, that rule applies to certification of new voting systems, not reexamination of existing voting systems. The system that is currently in use has already been certified for use in Georgia. Reexamination is not certification, and therefore Rule 590-8-1 does not apply.

While we have carefully considered your allegations, we can find no evidence that the voting machines actually being used in Georgia have in any way been compromised or are not performing in the manner in which they were intended and certified to perform. That being said, we do not prejudge the results of this reexamination and look forward to issuing a full report upon the conclusion of a robust, thorough, and fair reexamination.

Sincerely,



C. Ryan Germany